account of the increased work there, we had to withdraw all the Police orderlies and the Government were requested to sanction peons for the Magistrates.

Mr. K. Narayana Menon *(Mulankunnathkavu):* May I know whether it was not possible to recruit further Police constables and send them as orderlies?

Khan Sahib Muhammad Habibuddin Siddhiki Sahib Bahadur *(Commissioner of Police):* It was not thought to be necessary. In British India no orderlies are given to the Magistrates. The practice was prevalent only here and considering the increase in the work, they had to be withdrawn here.

Mr. A. B. Salem *(Mattancheri):* What is the number of orderlies given to the Magistrates ?

Khan Sahib Muhammad Habibuddin Siddhiki Sahib Bahadur *(Commissioner of Police):* One to each Magistrate.

Mr. A. Eachara Menon *(Chittur-Rural):* Will the Government note that the Magistrates in British India are clerk-grown Magistrates but here they are B.A., B.Ls, mostly fresh from the College.

Mr. A. B. Salem *(Mattancheri):* Am I correct in thinking that there are not more than six Magistrates.

Mr. M. Sivarama Menon *(Advocate-General):* There are eight Magistrates.

Mr. K. Narayana Menon *(Mulakunnathukavu):* On the anology of the British Magistrates, may I know whether the British Magistrates have not got revenue functions also ?

Mr. President : Order, order. Matters of that sort are not within the knowledge of this Government.

Mr. K. Narayana Menon *(Mulakunnathukavu):* It was brought to the notice of this House by the Commissioner of Police.

Mr. President : Not by the Government.

Mr. K. Narayana Menon *(Mulakunnathukavu):* The Commissioner of Police, as the representative of the Government of the State notified to this House that it is on the anology of that practice obtaining in Madras. I further seek to enquire, Sir, with your permission, whether the Sub-Magistrates in Madras Presidency are also not Revenue Officers, discharging the duties of Tahsildars ?

Mr. President : I still answer that these matters are not within the knowledge of this Government.

Mr. K. Narayana Menon *(Mulakunnathukavu):* May I seek to know whether that anology should have been drawn as regards the Magistrates of this State. If comparison is not permissible, what was the reason to vie our Magistrate with those in Madras and deprive them of their Police orderlies.

Mr. President : The Commissioner of Police answered that question that the need for Policemen in Police Stations was so urgent that these particular orderlies had to be withdrawn. I may add to the answers which have been given that the training of a policeman is long and expensive and it is regarded as unnecessary that an officer who has had such a long and expensive training should be posted to do the duties of an orderly in a Magistrate's Court. His duties in the Magistrate's Court can equally well be discharged by a person who has not had this long and expensive training.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* May I know whether it is the position of the Government that the purpose that was being served by the orderlies to the Magistrates will be served by personal peons ? Is that the position of the Government ?

Mr. President : Yes.

Mr. A. B. Salem *(Mattancheri):* May I know Sir,.....

Mr. President : Order, order. The question is over.

Voting of Demands for Grants— *(cont.)*

3. Village Panchayats—Rs. 4,19,428

Mr. T. K Nayar *(Minister for Rural Development):* Sir, I move for an allotment of Rs. 4,19,428 under "3-Village Panchayats".

Cut Motion No. 5

Village Panchayats working under the Minister

Mr. A. Eachara Menon *(Chittur-Rural):* Sir my motion is "to reduce the allotment of Rs. 4,19,428 for Village Panchayats by Re. 1" *to discuss the working of the Village Panchayats under the Hon'ble Minister.* When the Panchayat was first instituted it was under the Diwan

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Peishkar. The Panchayat consisted of nominated members and their duty was confined to making sanitation and lighting arrangements. Then the Diwan Peishkar, the Tahsildars and the Revenue Officers used to superintendent their work and we were having a good Panchayat after all. Sometime after, a special officer was appointed to look after the Panchayats and the Special Officer had time to go to the Penchayats and enquire about their working. Subsequently they were tacked on to the Health Department. The Director of Public Health had many irons is the fire and he was not able to look after the working of the Panchayats. It was at that time the Ministers came in. When the Panchayats were under the Government officers they were able to do what they thought best for the Panchayats; they had not to look to the views of the Panchayatdars and they were doing properly. They were doing all they could with the grant at their disposal for the good of the people. When the Ministers came there was the introduction of the democratic element into these Panchayats. They had to play in their hands: So the Ministers tried to pat on the backs of these Panchayatdars, lest they should stand against them in the next elections. So much so the Panchayatdars had their own way and ever since the management was in the hands of the Director of Public Health, there were only a few men to inspect the work of the coolies.

Mr. A. B. Salem *(Mattancheri):* What do you want to be done?

Mr. President : Order, order. The Hon'ble Member will please not interrupt him.

Mr. A. Eachara Menon *(Chittur-Rural) :* Now what we are having in the Panchayats are—there is a President and some Members, one or two nominated and the other elected. These members have no voice in the working except when they have some friendly talk about some matter. These Presidents do what they like with the coolies.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* It is not so.

Mr. A. Eachara Menon *(Chittur-Rural) :* Perhaps there may be instances where it is not so. But 88 out of 100 are such kinds of Panchayats. These coolies do not work in the Streets. I shall give one instance from Chittur. In the Kozhinjampara Panchayat when I enquired, both the officials and non-officials told me that an old cooly is posted on the road, and when he sees any officers coming, he will just run up to the President and get all the coolies. If you enquire, all the officers concerned will tell you. The Minister also has given them more powers. He has distributed some amounts between them. When I enquired of a President why he was not doing a certain thing he says that there is no expert advice, he could do only thus much. Before at least we were having one or two roads every year. Now we have none. With the amount that they get, they try to do something. In the end the Government find that they are not spending the whole money even though they assert that they are spending more. This sort of administration is prevailing here. If that cannot be avoided, I think it is better not to have it at all.

Mr. President : Is the motion seconded?

Mr. Joseph Pettah *(Adur):* I second the motion.

Mr. T. A. Ramachandra Ayyar *(Nellayi) :* Is it necessary to second a cut motion?

M. President : I think every motion should be seconded.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri) :* The practice here was not like that.

Mr. A. B. Salem *(Mattancheri) :* Sir, I oppose the cut motion. That there may be some irregularities in the working is no justification for this cut motion. He could have pointed them out to the head of the Department and if there was no remedy, he could have moved the Government or brought it to the notice of the Hon'ble Minister. But to bring a cut motion here to cut the budget of the administration of that department in such a way is not even in order. I therefore oppose the motion.

Mr. K. Narayana Menon *(Mulakunnathukavu) :* Sir, I beg also to oppose this motion. The arguments advanced by the Hon'ble Member for Chittur that the Department was working better and was catering to the needs of the public during the days when they were controlled by the Government servants and not by the Minister are not only untrue but also against facts which are known both to the House and to the public. As a self-governing institution and as an instrument for granting more and more of the administration of Villages to the local people, this institution has been, I submit, most properly left to be administered by the free will of the Panchayatdars. If the Panchayatdars who are elected by the people fail to cater to the wishes of the local public it is none of the Minister's fault. It is really the fault of those who put them there. Such complaints are not to be placed at the door of the Minister, nor in the form of a cut motion here. As regards the personal information of experience of the Hon'ble Member for Chittur, I regret to note that he has not himself taken necessary steps to place the matter

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before the authorities concerned. I do not for a moment think that this is the generality of circumstances that prevail in Cochin State. I beg to oppose the motion.

Mr. A. V. Moothedan *(Chalakkudi)*: I wish to make one suggestion in this connection. My point is that the present Minister has given too much powers to the Panchayats. I will give you one instance. The procedure is a certain allotment is given to the Panchayats for the construction of roads. If the Panchayats do not agree as to the work to be taken up, and if the Minister or Government cannot change it, the works won't be taken up. I think such a procedure is unheard of and it is very bad. In my own village there is no Christian Panchayatdar, though our population is 70 per cent. The result is that where we are living there is no road.

Mr. T. A. Ramachandra Ayyar *(Nellayi)*: Why did you not stand?

Mr. A. V. Moothedan *(Chalakkudi)*: We stood and failed. My submission is these things should be remedied, Government should have some power to amend their decision. In stray cases where the Panchayats are mischievous, selfish and narrow-minded, Government should have some residuary power to amend their decision.

I have pointedly brought this fact to the notice of the Government in previous years. The Minister says that he has no power. To whom shall I complain? Shall I complain to the Diwan? The Minister should have some discretionary power in deserving cases as to what all works to be undertaken in each Panchayat.

Mr. T. K. Nayar *(Minister for Rural Development)*: I am really sorry to note that this motion has come from the chairman of a local self-governing institution. I agree with the Hon'ble Member that when the departmental head was completely in charge of distributing amounts allotted to that department some panchayats used to get one or two roads as the Hon'ble Member put it due to the influence of those members. When I took charge I found that there was no equitable distribution of the amount among those panchayats. I wanted to do it. I distributed the amount allotted to original works among the panchayats in areas and population basis and the panchayats were asked to frame their own budgets which they are doing quite satisfactorily. I have nothing further to add about that. If the House gives me a mandate that this system should be revised and the Minister should have complete power to distribute these amounts according to his whims and fancies I am agreeable to that. There is policy enunciated by the Minister and it is for the House to pass a verdict. The Hon'ble Member has raised that issue and I am answering him. Then about the old man standing on the road in a helpless condition I do not think any answer is necessary from me.

Mr. A. Eachara Menon *(Chittur-Rural)*: Will you kindly enquire?

Mr. T. K. Nayar *(Minister for Rural Development)*: What is the point of enquiry?

Mr. A. Eachara Menon *(Chittur-Rural)*: There being no work.

Mr. T. K. Nayar *(Minister for Rural Development)*: It is up to the panchayat and the Hon'ble Member representing that constituency to bring this fact to the notice of the departmental head and to the Minister. As soon as a complaint comes like that the Minister is prepared to run up to the spot to look into the matter for enquiry. I solicit such help from the Hon'ble Members. As the Hon'ble Member knows I will not shark that responsibility. Regarding the point raised by the Hon'ble Member for Chalakkudi there is the residuary power in the Government. They are not all powerful. If Government is satisfied that a panchayat has made a recommendation which is detrimental to the interests of the local public, the Government will interfere and see that the justice is done. That is all what the Government can do. To veto every recommendation of the panchayat consisting of members elected from various villages constituting that panchayat, I do not think any Hon'ble Member of this House will take up that view.

Mr. A. V. Moothedan *(Chalakkudi)*: To prove detrimental is very difficult.

Mr. T. K. Nayar *(Minister for Rural Development)*: That is my difficulty also. So I leave it to the local people to decide what they want for their own villages. That is according to the local self-government. I hope the Hon'ble Member will not press it.

Mr. A. Eachara Menon *(Chittur-Rural)*: It was stated that all were well and that if they were found working not properly that should have been brought to the notice of the Government before. Sir, for that matter today you must have noticed that those gentlemen who had sent up a series of questions presumably because they might have found everything done beneficial to the public of the place. Why have they withdrawn? They have known that the department was not working properly and hence the question. Now they have all withdrawn because they have joined the ministerial party. This is the democracy that we have. I beg leave to withdraw my motion.

Cut motion, by leave, withdrawn

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